

FORM PTO-1390US DEPARTMENT OF COMMERCE REV. 5-93PATENT AND TRADEMARK OFFICE		ATTORNEYS DOCKET NUMBER 09792909-5980
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/509308
INTERNATIONAL APPLICATION NO. PCT/JP2004/000536	INTERNATIONAL FILING DATE January 22, 2004	PRIORITY DATE CLAIMED February 6, 2003
TITLE OF INVENTION "OPTICAL RECORDING MEDIUM AND MANUFACTURING METHOD THEREOF"		
APPLICANT(S) FOR DO/EO/US Toru Abiko, Etsuro Ikeda, Nobuaki Furuichi and Fuminori Takase		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.		
2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.		
3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay.		
4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date and the U.S. has been elected.		
5. <input checked="" type="checkbox"/> A copy of International Application (35 U.S.C. 371(c)(2))		
a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).		
b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.		
c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)		
6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).		
7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 34.		
a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).		
b. <input type="checkbox"/> have been transmitted by the International Bureau.		
c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.		
d. <input checked="" type="checkbox"/> have not been made and will not be made.		
8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)) (attached at back of English translation of application)		
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)) - Forms 338 and 409.		
Items 11. to 16. below concern other document(s) or information included:		
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; (PTO 1449, Prior Art, Search Report).		
12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.		
13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.		
14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A change of power of attorney and/or address letter.		
17. <input checked="" type="checkbox"/> Other items or information:		
a. <input checked="" type="checkbox"/> Submission of Drawings (14 sheets of drawings - Figs. 1-14)		
b. <input checked="" type="checkbox"/> EXPRESS MAIL #EV43324488US		
c. <input checked="" type="checkbox"/> Forms 210		
f. <input checked="" type="checkbox"/> Form 2038		

U.S. APPLICATION NO. (if known) 10/509308	INTERNATIONAL APPLICATION NO. PCT/JP2004/000536	ATTORNEY'S DOCKET NUMBER 09792909-5980
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17. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5): Neither international preliminary examination fee (37 CFR §1.482) Nor international search fee (37 CFR §1.445(a)(2)) paid to USPTO And International Search Report not prepared by the EPO or JPO \$1080.00 International preliminary examination fee (37 C.F.R. §1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$ 920.00 International Preliminary examination fee (37 CFR §1.482) not paid to USPTO But international search fee (37 CFR §1.445(a)(2)) paid to USPTO \$ 770.00 International preliminary examination fee (37 C.F.R. §1.482) paid to USPTO But all claims did not satisfy provisions of PCT Article 33(1)(4) \$ 730.00 International preliminary examination fee (37 CFR §1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)(4) \$ 100.00 <p style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</p>	CALCULATIONS	PTO USE ONLY
ENTER APPROPRIATE BASIC FEE AMOUNT =	\$ 920.00	

Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).	\$	
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Claims	Number Filed	Number Extra	Rate		
Total Claims	26 - 20 =	6	X \$ 18.00	\$ 114.00	
Independent Claims	2 - 3 =		X \$ 86.00	\$	
Multiple Dependent Claims			\$280.00 +	\$	

TOTAL OF ABOVE CALCULATIONS =	\$ 1,034.00	
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<input type="checkbox"/> Applicant claims small entity status. See 37 CFR §1.27. The fees indicated above are reduced by 1/2.	\$	
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SUBTOTAL =	\$ 1,034.00	
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Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).	\$	
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TOTAL NATIONAL FEE =	\$ 1,034.00	
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Fee for recording the enclosed assignment (37 C.F.R. 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property +	\$ 40.00	
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TOTAL FEES ENCLOSED =	\$ 1,074.00	
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	Amount to be refunded	\$
	charged	\$ 1,074.00

- a. A check in the amount of \$ ___ to cover the above fees is enclosed.
- b. Please charge attorney's firm American Express Account No. 378571697402000 in the amount of \$ 1,074.00 to cover the above fees. PTO Form 2038 is enclosed for that purpose.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-3140. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Sonnenschein, Nath & Rosenthal LLP
 P.O. Box 061080
 Wacker Drive Station - Sears Tower
 Chicago, Illinois 60606-1080
 Customer No. 26263
 Telephone 312/876-8000



 SIGNATURE

 David R. Metzger
 NAME

 32,919
 Registration Number

 September 27, 2004
 Date: _____

DT03 c'd PCT/PTO 27 SEP 2004

EXPRESS MAIL #EV433244488US

10/509308

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number: EV433244488US

Date of Deposit: September 27, 2004

I hereby certify that this correspondence is being deposited with the United States Postal "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

National U.S. phase application based on PCT application No. PCT/JP2004/000536 including the following:

Applicant(s): Toru Abiko, Etsuro Ikeda, Nobuaki Furuichi and Fuminori Takase

Attorney Docket No. 09792909-5980

\$1,034.00 filing fee (26 claims - 2 independent) (charged to AMEX account)

Executed Declaration

Executed Assignment, PTO 1595 & \$40.00 recording fee (chg. to AMEX account)

Preliminary Amendment

14 sheets of Drawings (Figs. 1-14)

Form 2038

Request and Form 210

Information Disclosure Statement, PTO 1499 and references cited

Return postcard



Signature of Person Mailing Application and Fees